JAP15 Rec PCT/PTO 18 OCT 2006

Response to Missing Requirements Under 35 USC § 371

Attorney Docket No.: DECLE59.013APC

First Named Inventor: Gala, et al.

Int'l Application No.: PCT/EP2005/002927

US Application No.: 10/591,791

Entered National Phase: September 6, 2006

Title: ASSAY FOR DETECTING AND IDENTIFYING MICRO-ORGANISMS

Direct all correspondence to Customer No.: 20995

Date: October 18, 2006

Page 1 of 1

Mail Stop PCT

United States Patent and Trademark Office PO Box 1450 Alexandria, VA 22313-1450

At the time the above-identified application was filed, a Declaration was not submitted. As of this date, we have not received a Notice to File Missing Requirements. However, in anticipation of receiving this communication, we are forwarding to you the following documents:

Applicant herewith submits to the US Designated/Elected Office (DO/EO/US) the following items and other information:

- (X) This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 USC 371.
- (X) An Oath or Declaration signed by the inventors (35 USC 371(c)(4)) in 3 pages.
- (X) Power of attorney form and copy of assignment in 2 pages.
- (X) A check in the amount of \$130 is enclosed to cover the late oath surcharge under 37 CFR § 1.492(h).
- (X) Return prepaid postcard.

The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 11-1410.

10/24/2006 ATRAN1

00000125 10591791

01 FC:1617

1

130.00 OP

Che Swyden Chereskin, Ph.D.

Registration No. 41,466

Agent of Record

Customer No. 20,995

(949) 760-0404

3029636 101806

Knobbe Martens Olson & Bear LLP

Intellectual Property Law

2040 Main Street Fourteenth Floor Irvine, CA 92614 Tel 949-760-0404 Fax 949-760-9502 www.kmob.com

MAIL STOP PCT Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

CERTIFICATE OF MAILING BY "EXPRESS MAIL"

Attorney Docket No.

DECLE59.013APC

Applicant(s)

Gala, et al.

For

ASSAY FOR DETECTING AND

IDENTIFYING MICRO-ORGANISMS

Application No.

: 10/591,791

Filing Date

September 6, 2006

Agent

Che Swyden Chereskin, Ph.D.

"Express Mail" Label No.:

EV 913943334 US

Date of Deposit

October 18, 2006

I hereby certify that the accompanying

Transmittal letter; Declaration in 3 pages; Establishment of Right of Assignee to Take Action and Revocation and Power of Attorney with copy of Assignment in 2 pages total; Check for Filing Fee; Return Prepaid Postcard

are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and are addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

3029690 101806 alla Reent